SUBJECT No. 82.

Village *chavadis*.

Mr. Hutchaveeregowda, Gubbi taluk.

*Summary of discussion.*—The police who watch the villages at nights and the Shekdar and other officers who want go there on duty are put to much inconvenience for want of proper *chavadis* in some villages. This has been the case all over the State. Therefore orders may be passed to increase the number of *chavadis* as far as possible.

*Reply of Government.*—Orders will again be issued directing the Deputy Commissioners to enforce the liability of villagers in the matter of constructing *chavadis*.

SUBJECT No. 83.

Concession *re saguvali* leases in the matter of their registration.

Messrs. C. Narahariyya, Rudrappa and D. S. Krishna Rao, Nelamangala taluk.

*Summary of discussion.*—Pray that the levy of registration fees on five years' *kandayam* amount for a *saguvali* lease of one year or less may be discontinued and the same concession as in the case of *vara* leases may be shown in respect of *saguvali* leases irrespective of the period of lease.

*Reply of Government.*—The existing rules are all right. The probable quantity of grain that may be expected to be received as the landlord's share of the produce may be mentioned in the lease.

SUBJECT No. 84.

License fee on crackers.

Mr. S. R. Balakrishna Rao, Shimoga Municipality.

*Summary of discussion.*—The license fee levied on crackers is the same as on gun powder (Re. 1 for 200 lbs.) but the quantity of explosive material contained in a cracker is not even one twentieth of its total weight. It is therefore prayed that the license fee on crackers may be proportionately reduced.

*Reply of Government.*—Noted.

## REVENUE.

*(Nos. 85 to 183.)*

SUBJECT No. 85.

(*a*) The rights of advocates and pleaders to appear in revenue courts and especially in the court of the Revenue Commissioner.

(*b*) Appeal against the order of the Revenue Commissioner.

(*c*) Representation of parties in revenue courts by lawyers.

(*a*) Mr. C. Subba Rao, Shimoga District Board.

(*b*) Messrs. M. K. Krishnamurti Rao, Magadi taluk, and B. Narasinga Rao, Seringapatam taluk.

(*c*) Mr. S. Venkatesaiya, Hassan District Agricultural Association.

*Summary of discussion.*—(*a*) With reference to a letter dated 25th June 1912, from the Secretary of the Bangalore Law Association in regard to the rights of advocates and pleaders to appear on behalf of parties in the court of the Revenue Commissioner and conduct cases, reply has been sent that the Revenue Commissioner is unable to accept the views of the Association and that he is not in favour of allowing advocates and pleaders to appear in his court for the parties. This opinion is contrary to the provisions of Section 204 of the Land Revenue Code and causes a good deal of hardship to the litigant public and raiyats, who, in the majority of cases, are ignorant of their legal rights and the remedies they ought to seek. The Government may therefore be pleased to issue orders to allow advocates and pleaders to appear in the court of the Revenue Commissioner on behalf of parties.

(*b*) Government do not generally admit appeals against the order of the Revenue Commissioner, unless some intricate legal point is involved in the case. Thus in most cases the Revenue Commissioner's order being final, his decision as a single judge may not always be equitable. Pleaders also are not generally allowed to argue revenue cases before the Revenue Commissioner as in civil cases. In civil cases final appeals lie to the Chief Court and where such appeals are heard by two judges, an appeal against their order may be preferred to the Full Bench. It is requested that the Revenue Board contemplated by Government some years ago, similar to that existing in Madras and other provinces may be introduced here also; or that revenue appeals may be ordered to be heard by the Revenue Commissioner with the two Councillors. If this is not found practicable, Government may kindly be pleased to admit every appeal against the order of the Revenue Commissioner and further allow lawyers to appear in all revenue cases.

(*c*) Considering the general ignorance of raiyats, it is desirable that parties in revenue cases should be given reasonable facilities to make their representations through counsel.

*Mr. M. K. Krishnamurti Rao.*—Cases that come up for decision before revenue courts are often very important involving claims to offices and property. The Revenue Commissioner has been given large powers under the Code. As an appeal to Government is allowed from his orders only on a point of law, it is necessary that every precaution should be taken to ensure a correct decision. Parties are unable to represent their cases properly and it will be difficult for the Revenue Commissioner to go through bulky records himself. It is desirable therefore not to restrict appeals from his decisions. It will lead to great miscarriage of justice if the Revenue Commissioner is allowed to exclude lawyers from his court.

*Mr. K. H. Ramayya.*—Government need not think of saving the raiyats the cost of these litigations in these days. They are denied the satisfaction of being able to fight out their cases properly.

*Mr. C. Vasudeva Rao.*—The prohibition causes the greatest hardship to appellants coming from distant parts of the mofussil. They are not able to be present at every hearing and cases may be decided in their absence without their having any opportunity to represent their case. The facts of revenue cases are very intricate and it is only a trained lawyer that can explain them properly.

*Mr. Krishna Sastri.*—The raiyats are unable to explain their cases. The Revenue Commissioner's Court is the highest revenue court. Pleaders are allowed in all other courts. It is not therefore desirable to prohibit their appearance in the Revenue Commissioner's court.

The Dewan desired to know the sense of the non-lawyer members of the Assembly and in response a large body of members appeared in support of the representation.

*Reply of Government.*—The matter will be considered. In Bombay and Madras also there seems to be a similar practice.

SUBJECT No. 86.

Taluk Sheristadars.

Mr. Garudachar, Channapatna Municipality.

*Summary of discussion.*—Just as Police Inspectors assist Amildars in matters of police and judicial, so a Sheristadar assists him in matters of revenue.

Till April 1879, each taluk had peshkars of two grades carrying a salary of Rs. 40 and 50. In addition to their being in charge of the treasury, they were also exercising criminal powers. In the course of service they rose to the Amildari grade. In May of that year, the Peshkari system was abolished and Sheristadari introduced. The Sheristadars have been in charge of the treasury and assist the Amildar in his work.

The pay of the Police Inspectors ranges from Rs. 40 to 150; and that of Sub-Registrars from Rs. 40 to 70 and 100; whereas that of a Sheristadar ranges only from Rs. 40 to Rs. 60. As such, it is likely that really intelligent and energetic men try to enter the Police and Registration Departments, there being no fascination for them to take up Sheristadari service.

In 1878, Sir James Gordon had ruled that only men experienced in the district and taluk revenue work should be selected for Amildari and Deputy Amildari. Whereas now, men from Police and Registration Departments are generally selected for Amildari.

In the Madras Presidency, Sheristadars exercise magisterial powers. In the same manner Sheristadars in this State also may be given magisterial powers and their pay raised and fixed at three grades, *viz.*, 40-5-50, 50-5-60 and 60-5-75.

*Mr. M. K. Krishnamurti Rao.*—It is not desirable to appoint Police Inspectors as Amildars, as they have no experience of revenue work. They have also no insight into the needs of the raiyats. As in the Madras Presidency only officials who are trained in revenue work may be appointed Amildars.